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SERVICE DATE - JANUARY 6, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 614X)

CSX TRANSPORTATION, INC.–ABANDONMENT  
EXEMPTION–IN RICHMOND COUNTY, GA

Decided: December 30, 2002

CSX Transportation, Inc. (CSXT) filed a notice of exemption under 49 CFR 1152 Subpart F–Exempt Abandonments to abandon approximately 1.60 miles of railroad from Valuation Station 0+00 at milepost ANS 0.2 to Valuation Station 84+44, in Augusta, Richmond County, GA.<sup>1</sup> By decision served July 16, 2002, the proceeding was reopened and the Augusta-Richmond County, GA (County) was authorized to negotiate an interim trail use/banking agreement with CSXT, pursuant to section 8(d) of the National Trails system Act 16 U.S.C. 1247(d) (Trails Act).<sup>2</sup> The negotiating period under the NITU is scheduled to expire on January 12, 2003.

On December 20, 2002, CSXT filed a request for an extension of the negotiating period until July 11, 2003 to complete negotiations.

Where, as here, the carrier is willing to continue trail use negotiations, the negotiating period may be extended.<sup>3</sup> An extension of the negotiating period will promote the establishment of trails and

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<sup>1</sup> Notice of the exemption was served and published in the Federal Register on June 6, 2002 (67 FR 39097-98).

<sup>2</sup> By decision served July 5, 2002, the proceeding was reopened at the request of the Board's Section of Environmental Analysis and the exemption was made subject to the condition that CSXT consult with Georgia Department of Natural Resources, Historic Preservation Division to resolve outstanding historic resources concerns and retain its interest in and take no steps to alter the historic integrity of the line until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470(f). In the same decision, a 180-day public use condition was imposed (which will expire on January 2, 2003) that required CSXT to leave the right-of-way intact, including bridges, trestles, culverts and tunnels and similar structures for a period of 180 days from the July 6, 2002 effective date.

<sup>3</sup> See Rail Abandonments–Supplemental Trails Act Procedures, 4 I.C.C.2d 152, 157-58 (1987).

rail banking consistent with the Trails Act. According, the negotiating period will be extended to July 11, 2003.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The negotiating period under the NITU is extended to July 11, 2003.
2. This decision is effective on its service date.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

Vernon A. Williams  
Secretary